

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

3D DESIGNS, INC.,

Plaintiff,

vs.

RYAN MITCHELL

Defendant.

4:20CV3063

**SHOW CAUSE
ORDER**

On July 16, 2021, the Court entered an order (Filing No.44) denying what the court construed as Defendant Ryan Mitchell's motion to set aside entry of default (Filing No. 41). Thus, having denied Defendant Mitchell's motion, the court found that default has been validly entered against him in this case.

However, more than a month has passed since the court affirmed the Clerk's entry of default (Filing No. 40) and Plaintiff has not taken any further action to litigate this matter or to otherwise seek judgment against Defendant Mitchell. Plaintiff has not explained the failure to take any additional action. Given the failure to progress this matter, the court must again ask Plaintiff to show cause for its want of prosecution in this case.

Accordingly, IT IS ORDERED that Plaintiff is given until September 13, 2021 to show cause why the court should not dismiss for want of prosecution the claims brought by Plaintiff against Defendant Mitchell. The failure to timely comply with this order may result in dismissal of the claims filed by Plaintiff without further notice. The Clerk shall provide a mailed copy of this order to Defendant Mitchell at his address of record.

Dated this 23rd day of August, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge